



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Summary CITY COUNCIL

*R. Steve Tumlin, Mayor*  
*Cheryl Richardson, Ward 1*  
*Grif Chalfant, Ward 2*  
*Johnny Walker, Ward 3*  
*Andy Morris, Ward 4*  
*M. Carlyle Kent, Ward 5*  
*Andre L. Sims, Ward 6*  
*Joseph R. Goldstein, Ward 7*

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Wednesday, May 11, 2022

7:00 PM

Council Chamber

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**20220485**

### **Marietta Police Officers**

Council members Cheryl Richardson and M. Carlyle Kent to introduce the newest officers to the Marietta Police Department:

Officer Franciele Calvario

Officer David Lester

Officer Andrew Lionbarger

Officer Andrew Price

Officer Willie Taylor

### **Recognized**

**20220477**

### **Building Safety Month**

Council Member Grif Chalfant will present a Proclamation to Tim Forbes, Deputy Director Engineering/Inspections, Building Official, in observance of Building Safety Month. Americans are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property. The City of Marietta hereby proclaims the month of May 2022 as Building Safety Month.

### **Presented**

**20220409**

### **Scheduled Appearance**

Scheduled Appearance - Lisa Hodge

**Not Present**

**20220433      Scheduled Appearance**

Scheduled Appearance - Reggie Copeland

**Present**

**20220447      Scheduled Appearance**

Scheduled Appearance - Dr. H. Benjamin Williams

**Present**

**20220470      Scheduled Appearance**

Scheduled Appearance - Donald Barth

**Present**

**20220486      Motion to Reconsider**

Motion to reconsider Legistar Number 20220322, Council Youth Ambassador actions of April 13, 2022, to establish the designation of a Council Youth Ambassador for each Council Member and Mayor. Ambassador to be chosen by respective Council Member as a liaison between Ward and Councilperson at individual Council members direction. As a group, have semiannual cook outs and gatherings from time to time.

Requested by Council Member Goldstein

*Substitute motion to establish the designation of a Council Youth Ambassador for each Council Member and Mayor. Ambassador to be chosen by respective Council Member as a liaison between Ward and Councilperson at individual Council members direction. Meet as a group for special projects and special gatherings from time to time.*

*Referred to the Personnel/Insurance Committee.*

**Approved and Finalized**

**20220426      Special Meeting - April 11, 2022**

Review and approval of the April 11, 2022 special meeting minutes.

**Approved and Finalized**

**20220427 Regular Meeting - April 13, 2022**

Review and approval of the April 13, 2022 regular meeting minutes.

**Approved and Finalized**

**20220428 Special Meeting - April 29, 2022**

Review and approval of the April 29, 2022 special meeting minutes.

**Approved and Finalized**

**\* 20220316 Historic Board of Review Appointment At-Large**

Reappointment of Johnny Walker to the Marietta Historic Board of Review for the City Council At-Large Appointment for a two-year term expiring on May 16, 2024.

**Approved and Finalized**

**\* 20220408 Construction Board of Adjustment and Appeals**

Appointment of Steve Arrants (Ward 2), Gordon Brans (Ward 3), Chris Poston (Ward 4), Cristina Stallworth (Ward 5) to the Construction Board of Adjustment and Appeals for five (5) year terms expiring April 14, 2027.

**Approved and Finalized**

**\* 20220471 Marietta Historic Board of Review Reappointment (Ward 3)**

Reappointment of Rebecca Nash Paden to the Marietta Historic Board of Review (Ward 3), for a two-year term, expiring May 16, 2024.

Rebecca Nash Paden has served four years on the Marietta Historic Board of Review.

**Approved and Finalized**

**\* 20220462 Board of Zoning Appeals Appointment (Ward 3)**

Appointment of Mark Maloney to the Board of Zoning Appeals (Ward 3) for a 3-year term, expiring May 14, 2025.

**Approved and Finalized**

**20220227****Z2022-09 [REZONING] SK COMMERCIAL REALTY**

Z2022-09 [REZONING] SK COMMERCIAL REALTY is requesting the rezoning of 2.7 acres located in Land Lot 1075, District 16, Parcels 0200, 0900, 0160, 0150, 0140, 0890, 0120, 0880, 0910, 0190, 0210, 1210, 0220, 0230, 0920, & 0930 of the 2nd Section, Cobb County, Georgia, and being known as 101 Burnap Street; 310, 312, 314, 316, 318, 320, 324 Roselane Street; 411, 663, 667, 669, 671, 673, 675, & 681 North Avenue from R-2 (Single Family Residential - 2 units/acre) to MXD (Mixed Use Development). Ward 4B.

Planning Commission recommends Denial.

Mr. Anderson made a motion, seconded by Mr. McClure, to recommend denial as submitted. The motion carried 6-0-0.

Public Hearing (all parties are sworn in)

**Denied**

**20220230****Z2022-11 [REZONING] PSR INVESTOR, LLC. (MATALON PROPERTIES, LLC.)**

Z2022-11 [REZONING] PSR INVESTOR, LLC. (MATALON PROPERTIES, LLC.) are requesting the rezoning of 7.2 acres located in Land Lot 260, District 19, Parcels 0010, 0090, 0230, & 0220 of the 2nd Section, Cobb County, Georgia, and being known as 1401 & 1409 Powder Springs Street and 1405 & 1411 Dura Drive from CRC (Community Retail Commercial) to CRC (Community Retail Commercial) and PRD-SF (Planned Residential Development - Single Family). Ward 2B.

Planning Commission recommends Approval.

Mr. Diffley made a motion, seconded by Mr. Anderson, to recommend approval as submitted. The motion carried 5 1 0. Mr. Hunter opposed the recommendation.

If council approves, the following stipulations would be incorporated as conditions of zoning:

1. Letter of stipulations and variances from J. Kevin Moore of Moore Ingram Johnson & Steele to Shelby Little, Planning & Zoning Manager for the City of Marietta, dated May 2, 2022.

Public Hearing (all parties are sworn in)

**Approved and Finalized****\* 20220476****Denial of Claim**

Denial of Claim for Robert J. Hobbs.

**Approved to Deny Claim**

**\* 20220416****Lease of Clarke Library**

Motion to approve the agreement between the City of Marietta and K. Mike Whittle Designs, Inc for the lease of 156 Church Street.

**Approved and Finalized**

\*      **20220419                      Veterans' Memorial Investment**

Motion to approve an investment to the Veteran's Memorial in the amount of \$50,000 to be funded by funds designated as revenue loss under the American Rescue Plan Act's State and Local Fiscal Recovery Fund program and to recommend that the Board of Lights and Water do the same with their own funds.

**Approved and Finalized**

\*      **20220306                      Proposed Revision to the Flood Plain Management/Flood Prevention Ordinance**

Motion adopting the revised Flood Plain Management/Flood Prevention Ordinance.

Second Reading

**Approved and Finalized**

**20220058                      Code Enforcement Noise Ordinance**

Motion to approve changes to Chapter 10-6, Noise.

First Reading

**Approved First Reading**

\*      **20220301                      Code Amendment - HBR Review Exemption for Filming**

Motion adopting a revision to Article 7-8-8-050 (E.) which would allow the temporary modification to existing buildings or structures within the Downtown Historic District associated with a filming permit to be exempt from obtaining a certificate of approval from the Historic Board of Review.

First Reading

**Approved First Reading**

\*      **20220313                      Code Amendment - Auto Sales and Repairs**

Motion to authorize staff to advertise proposed changes to zoning regulations regarding automobile sales and repairs.

**Approved for Advertisement**

- \*      **20220087**      **Sanitary Conditions and Procedures**
- Motion to approve the revised ordinance to Sect. 7-4-2-110 - Sanitary Conditions and Procedures.
- First Reading
- Approved First Reading**
- \*      **20220312**      **Code Amendment - Commercial Corridor Design Overlay District**
- Motion to authorize staff to advertise a change to the Commercial Corridor Design Overlay District (Section 712.09).
- Approved for Advertisement**
- \*      **20220453**      **Police Athletic League (PAL) Summer Camp Program**
- Motion to approve a grant to the Pal Summer Camp program in the amount of \$25,000 to be funded by funds designated as revenue loss under the American Rescue Plan Act's State and Local Fiscal Recovery Fund program.
- Approved and Finalized**
- \*      **20220430**      **Summer Camp Funding Memorandum of Understanding**
- Motion to approve a Memorandum of Understanding to accept \$10,000 for summer camp grant funding for the Building Opportunities for Out-of-School Time (BOOST) Grant Program, administered by the Georgia Parks and Recreation Association (GRPA).
- Approved and Finalized**

**20220400      Aviation Road Traffic Calming**

Motion authorizing Public Works to reduce the speed limit to 25 MPH between Roswell Road and North Park Drive with an estimated cost of \$250.00.

*Motion authorizing Public Works to reduce the speed limit to 25 MPH between Roswell Road and North Park Drive; convert the intersection of Aviation Road and Lynda Lane to a 3-way stop condition with pedestrian ramps and crosswalks; and convert the intersection of Aviation Road and North Park Drive to a 4-way stop condition with pedestrian ramps and crosswalks with a total estimated cost of \$1,500.00.*

**Approved as Amended**

**\*      20220501      American Rescue Plan Act Funds**

Motion to elect the Standard Allowance of \$10 million for revenue loss as provided by the American Rescue Plan Act's State and Local Fiscal Recovery Fund program.

**Approved and Finalized**

**\*      20220492      Municipal Electric Authority of Georgia (MEAG) Voting Member and Delegate**

Motion to approve a recommendation by the BLW Board to designate Board Member Andy Morris as the voting delegate and General Manager Ron Mull as the alternate selection for the 2022 MEAG Annual Meeting.

**Approved and Finalized**

**\*      20220493      Polk Street at Mountain View Road Project -149 Mountain View Road**

Motion authorizing acquisition of a portion of property and easements at 149 Mountain View Road from Sarah Singleton for the purpose of constructing the Polk Street at Mountain View Road Project in exchange for \$12,400.00.

**Approved and Finalized**



- \*      **20220494**      **Polk Street at Mountain View Road Project - City of Marietta- 760 Polk Street**
- Motion authorizing conversion of City property to public right-of-way at 760 Polk Street from for the purpose of constructing the Polk Street at Mountain View Road Project.
- Approved and Finalized**
- \*      **20220495**      **Allgood Road at Merritt Road Improvements Project - 960 Allgood Road**
- Motion authorizing acceptance of the driveway easement at 960 Allgood Road from First Capital Investment, LLC for the purpose of constructing the Allgood Road at Merritt Road Improvements Project.
- Approved and Finalized**
- \*      **20220496**      **Allgood Road at Merritt Road Improvements Project -980 Allgood Road**
- Motion authorizing acquisition of a portion of property and easements at 980 Allgood Road from Lillie Inez Watson & James W. Watson for the purpose of constructing the Allgood Road at Merritt Road Improvements Project in exchange for \$7,044.00.
- Approved and Finalized**
- \*      **20220497**      **Lawrence Street Improvements Project -422 Lawrence Street**
- Motion authorizing acquisition of a portion of property and easements at 422 Lawrence Street from Samantha Ann McMillan for the purpose of constructing the Lawrence Street Improvements Project in exchange for \$3,200.00.
- Approved and Finalized**
- \*      **20220499**      **115 Gadsden Street**
- Motion authorizing the sale of approximately 1409 square feet constituting 0.03 acres of land (more or less) located at 115 Gadsden Street to Alan Bowling for \$6,117.42.
- Approved as Amended**

\*      **20220500                      750 Polk Street**

Motion to authorize the acquisition of property owned by Hans U. Rechsteiner and Lynn R. Rechsteiner on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached in incorporated herein by reference. City staff and the City Attorney are authorized to conduct a voluntary purchase if that becomes feasible.

**Approved and Finalized**

\*      **20220429                      BLW Actions of May 9, 2022**

Review and approval of the May 9, 2022, actions and minutes of Marietta Board of Lights and Water.

**Approved and Finalized**

\*      **20220504                      Defined Benefit Pension Plan Investment Policy Statement**

Motion approving the updated Defined Benefit Pension Plan Investment Policy Statement (IPS)

**Approved and Finalized**